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DEPARTMENT OF ENERGY

FEDERAL ENERGY REGULATORY COMMISSION

Golden Spread Electric Cooperative, Inc.

v.

Docket No. EL13-78-000

Southwestern Public Service Company

NOTICE OF COMPLAINT

Take notice that on July 19, 2013, Golden Spread Electric Cooperative, Inc. (Golden Spread or Complainant) filed a formal complaint against Southwestern Public Service Company (SPS or Respondent), pursuant to sections 201, 206 and 309 of the Federal Power Act, 16 USC 824, 824e, and 825e (2013) and Rule 206 of the Federal Energy Regulatory Commission's (FERC or Commission) Rules of Practice and Procedures, 18 CFR 385.206 (2013), alleging that the formula rate Replacement Power Sales Agreement (RPSA) by and between Golden Spread and SPS and the formula rate of the Xcel Joint Energy Open Access Tariff applicable to pricing of transmission service

over the facilities of SPS (transmission formula rate) contain an unjust and unreasonable return on equity (ROE), contrary to section 205 of the Federal Power Act. Golden Spread requests a determination that the appropriate base ROE for both the RPSA and the transmission formula rate should be set at 9.15 percent. Golden Spread also seeks consolidation of this complaint with Docket No. EL12-59-000.

The Complainant certifies that copies of the complaint were served on the contacts for the Respondents as listed on the Commission's list of Corporate Officials.

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. The Respondent's answer and all interventions, or protests must be filed on or before the comment date. The Respondent's answer, motions to intervene, and protests must be served on the Complainants.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the “eFiling” link at <http://www.ferc.gov>. Persons unable to file electronically should submit an original and 5 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

This filing is accessible on-line at <http://www.ferc.gov>, using the “eLibrary” link and is available for review in the Commission’s Public Reference Room in Washington, DC. There is an “eSubscription” link on the web site that enables subscribers to receive email notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please email FERCOnlineSupport@ferc.gov, or call (866) 208-3676 (toll free). For TTY, call (202) 502-8659.

Comment Date: 5:00 pm Eastern Time on August 8, 2013.

Dated: July 24, 2013

Kimberly D. Bose,
Secretary.

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